

AF | IFW

PATENT APPLICATION



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICANT : SINGER ET AL.
CONTINUATION OF: 10/368,441 filed February 20, 2003

SERIAL NO. : 10/800,918

FILING DATE : March 16, 2004

FOR : NOVEL SYNTHESIS AND CRYSTALLIZATION OF
PIPERAZINE RING-CONTAINING COMPOUNDS

GROUP ART UNIT : 1624

EXAMINER : K. HABTE

LETTER TO EXAMINER

MAIL STOP AF

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

Applicants filed an Information Disclosure Statement on May 11, 2005, including "Opposition to EP 1225174 dated December 16, 2004, by Teva Pharmaceutical Industries, Inc." It appears the document "D2a" of the Teva Opposition was inadvertently omitted. Applicants therefore enclose a copy of Document D2 for consideration by the Examiner in conjunction with the other papers filed in the Teva Opposition.

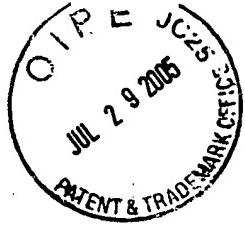
The Examiner is invited to contact the undersigned attorney regarding any questions in this application. No fee is believed due; however, the Commissioner is authorized to charge any fees due, or credit any overpayments to Kenyon & Kenyon Deposit Account 11-0600.

Date: 7/29/05



W. David Wallace
Registration No. 42,210

Kenyon & Kenyon
1500 K Street, N.W.
Washington, D.C. 20005
Telephone: (202) 220-4200
Facsimile: (202) 220-4201



D2a

A recrystallisation of mirtazapine was carried out as described in Example 6 of WO 00/62782 (D2). The percentage water content, melting point, IR spectrum and colour of the resulting crystals immediately before and after drying were ascertained and are given in Table D2a below.

Table D2a

	Before Drying	After Drying
Water content (wt %)	3.2	0.2
Melting point (° C)	115.7	115.7
IR peaks (cm ⁻¹)	1586 1568 1444	1587 1566 1467 1445
Colour	white to creamy	white to creamy